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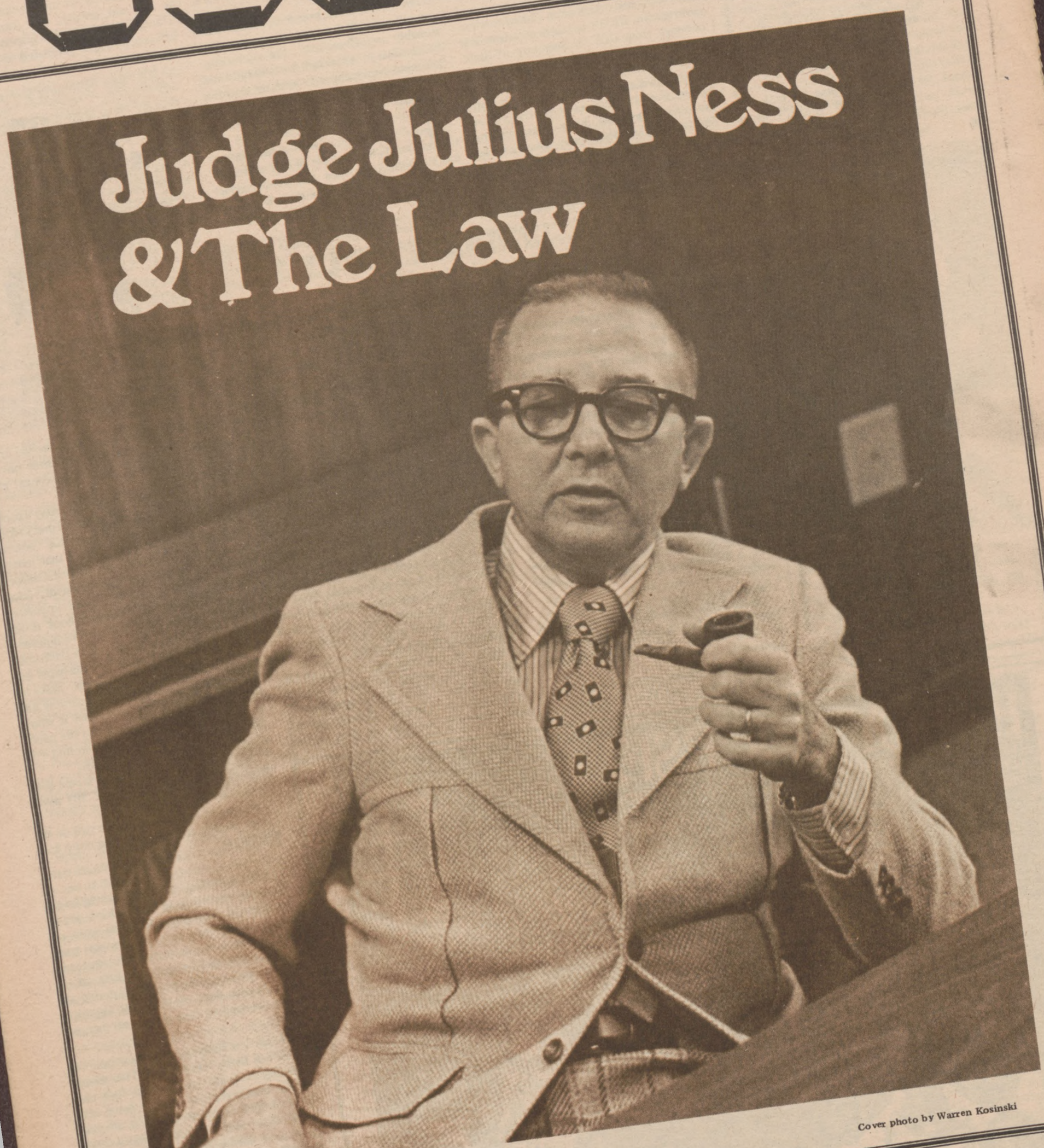
osceola

Judge Julius Ness & The Law



Cover photo by Warren Kosinski

Is there an impact analysis for you?

See Page Four

osceola

"This script, it seems to me, is the work of professionals who yearned to be as charming as inspired amateurs can sometimes be."

Kurt Vonnegut, Jr.
"Between Time and Timbuktu"

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Inoperative

by Jack Lynch

With the crisis in the Mideast flaring anew as the U.S. Congress President Nixon's possible impeachment, it is logical to expect the more responsible media to grasp at coverage of any major development in either story.

So it seemed odd at noon Thursday when radio station WNOK began to broadcast live coverage from CBS on Secretary of State Henry Kissinger's news conference on the latest Russian and American Mideast moves and then, without explanation, cut out from the network and into a top 40 song you've probably heard too many times before. (WNOK, incidentally, usually broadcasts the informative CBS midday report at that time.)

WNOK Managing Director Frank Stish admitted the screwup, but said the network shared the blame with the station for it. "It was probably a breakdown on the part of the network to inform us," he said. "We were told that there would be a special on at that time, but no one notified us of what it would be about."

The station had not planned to carry the news conference, Stish said, because "the network has 10 or 12 specials on a day and if we tried to carry them all we would be all talk."

He said, "the announcer hit the button after it (the news conference) went on "trying to correct the mistake, resulting in the ragged breakoff.

But lest Stish seem completely without news judgement, he did say that if CBS had given him some indication of what that network "special" was about, WNOK would have carried the coverage.

Fortunately, there was hope for all you Kissinger fans. WIS radio and TV, the local NBC affiliates, presented the news conference.

The folks down at the Myrtle Beach Sun-News are pretty busy getting ready to go daily under Columbia Newspapers' ownership.

One of the paper's employees, who will remain nameless, said this week that the paper is set to go daily within a month, though no definite date has been set. The paper will initially be published on either a five or six day schedule.

The Sun-News expects to expand its staff and will use UPI for its wire coverage (but probably not AP at first) , the source said. Circulation is expected to expand and Columbia Newspapers is sending down a circulation man to plot out the paper's circulation drive.

Good news for news-starved Columbians. The *Charlotte Observer* finally has someone to replace Jack Bass in their Columbia bureau. The appointment will be announced in Sunday's editions of the *Observer.*

Also, Executive Editor James Batten says that the *Observer* is considering expanding their bureau here to two persons. Stay tuned for further details.

Another newcomer to Columbia journalism is Joesph L. Lilli, II, of WIS-TV news. Apparently, WIS is after that prosperous, fast-growing yet too-often ignored Lexington County news and ad market. Lilli, a reporter and photographer, will concentrate on Lexington, and will anchor the weekend newscasts.

Nostalgia for the 1930s seems to have overcome the *Columbia Record*, at least as far as design goes.

The paper, which usually does not employ extravagant headlines or farout design anyway, came out Thursday with a paper that resembled the New York Times in design only) on one of its poorer days.

A small, two-column, three-line head topped the first page. And what a page it was, with 11 stories in the first edition (not including the column of briefs).

Stories on the front and throughout the paper did not exceed 10 inches. As one editor put it: "If Gov. West is assassinated, we'll cover it in 10 inches." Pictures were no larger than two columns by four or five inches.

The reasons for such backward thinking is our old enemy, the paper shortage. Though Columbia Newspapers reportedly has enough paper purchased to last them to next Spring, the firm's high command

Weather
The Columbia Record
Thursday
FOCUS
Subpoena Powers Disputed
Key U. S. Forces Alerted In Reply To Soviet Threat
GOP Leaders Press For New Prosecutor
Three S. C. Air Bases Alerted This Morning
Workers Free Trapped Men After Ordeal
Former Prisoners: Alcatraz Not Same
Egypt: Israeli's Using Napalm On Suez City
White House Battle For Front Over

apparently thinks the papers should start getting ready for higher newsprint prices. Thursday's Record was an experiment at a very tight paper.

The only hitch was that Thursday's paper was not tight on space. And with every story cut to under 10 inches, the editors apparently needed every story that moved across the wires. Surely the *Record's* editors, with Mideast and impeachment crises nearing their peaks, had more important things to print than stories about drunk parrots, tailless pigs, George Washington's false teeth, and skunk patrols in California.

Editor William Collins said the paper was experimenting with the tight make-up merely for the sake of experimenting and did not expect at this time that it would become the permanent design of the paper. He said that the paper may play around with it again for a day or so in the future.

But it looks like future shock is here now. Reportedly, Friday's (October 26) paper contains similar design elements.

The paper's staff is said to be split on the "new" design, with most of the copy desk disliking it.

With the rush of events in Washington the past two weeks, from the Mideast war to Presidential dismissals to the on again--off again promises of Presidential press conferences and appearances, the electronic media seems to be regaining a little of the stature and importance it lost during the early frantic days of Watergate reporting when newspapers were getting all the news breaks.

Things are happening so fast now the dailies can barely keep up. And the weekly newsmagazines are dated by the time they hit the mailboxes. So *Osceola* got a little boost of encouragement last week when we heard NBC and ABC sent camera crews down to Ft. Jackson to film some footage on the Volunteer Army.

It seems an NBC staffer saw a copy of a September 27, *Osceola* with an article on the problems of the Volunteer Army and found some of the individuals quoted interesting. She phoned some of them at Ft. Jackson and asked them to repeat their statements on camera. At last report, the top brass at Ft. Jackson were pow-wowing to decide if the lower grade officers would harm their careers by repeating their statements. ■

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QUOTE OF THE WEEK

"I wouldn't be surprised if Nixon was a Communist, not after what's happened up there in the past two weeks."--Willy Barnes, S.C. truck driver as quoted in a Columbia newspaper.

That was one Columbia man's reaction to last week's firing of special prosecutor Archibald Cox, appointed several months ago to find the truth about Watergate. As Nixon described his hope earlier this year, he wanted to "turn Watergate over to the courts." Well, the courts seemed a little more effective and the prosecutor a little more snoopy than our law and order President had bargained for. So he just up and changed the rules.

The reaction in South Carolina has been mixed since last week. The *State* newspaper, a longtime Nixon friend criticized the President for his handling of the matter. The *Columbia Record* leapt somewhat awkwardly to Nixon's defense, accusing Cox of "thumbing his nose at the President." The *Record* noted triumphantly that "Cox invited firing. He got it." In the second blast of its double-barrelled defense of the beseiged President, the *Record* called the widespread talk of impeachment "barnyard cackling." "There is no substitute for Executive leadership," quoth the *Record*.

In passing, it might be interesting to note a detail from an Anthony Lewis column. Lewis said that the message from Alexander Haig to Ruckelshaus telling him to fire Cox was delivered as an order from the "commander-in-chief." Sounds more like Napoleonic delusion than executive leadership.

One more note on the matter so much at hand these days. South Carolinians might remember that one of our natives is helping the President in these weighty decisions. Fred Buzhardt, the President's legal counsel, could turn out to the deciding factor in the seemingly never-ending drama. Stay tuned.

When the Lexington County Council voted unanimously early this week to permit the use of the county's credit to assist Allied Chemical company in borrowing $10-15 million to meet federal anti-pollution requirements, it joined a growing national trend to public assistance for financing such equipment.

Allied Chemical has a plant in Lexington County which pays $1.2 million in county taxes annually, about 10½ percent of the county's total taxes and 27 percent of the total District Five school budget, pays $15.7 million in wages and salaries to its 1,600 employes and buys $15 million in supplies and equipment from local suppliers each year. So what could be more logical than to help this "good friend and neighbor" (as county manager Roger Alderman called the company) out in its time of need.

The key to the arrangement is the fact that the county is permitted to issue tax-exempt bonds to raise money--that is, the interest earned from those bonds by those who buy them, is not taxable. The bonds are therefore salable at a lower interest rate. So with Allied using the county's bonding power--with the special stipulation that there is no way the county can be held liable--the company is effectively able to borrow money at a considerably lower (about 50 percent) interest rate.

During the proceedings, Allied's attorneys stressed that it is the public which will benefit most--through cleaner air and water--from the anti-pollution devices and so the public should assist in the financing. The county, of course, will not lose money in the deal. Most of the company's savings will come out of the pocket of the federal government--in the form of taxes avoided--and ultimately out of the pocket of the individual taxpayer. In the final analysis, the public is helping to subsidize the installation of anti-pollution devices. This is not to say they shouldn't--it is just to make the issue a bit clearer.

Coincidentally, it was only two weeks ago that the North Carolina Supreme Court ruled unconstitutional a legislative providing for exactly the same type of financial arrangement to subsidize anti-pollution equipment. The judge ruled the arrangement unconstitutional because it would help one company in competition with other unsubsidized firms.

Charleston attorney Huger Sinkler who represented Allied, said later that proper legislation had been passed several years ago in South Carolina and that he felt it was constitutional. He said it would not discriminate against any firms, because any firms could use the procedure, without any particular limit. He said several firms across the state, including International Paper, South Carolina Electric and Gas, Airco Alloys, and Westvaco, had utilized such borrowing arrangements in the past. ■

It's just a game.

Oh, Somewhere in this favored land the sun is shining bright,

The band is playing somewhere, and somewhere hearts are light;

And somewhere men are laughing, and somewhere children shout,

But there is no joy in Mudville—Mighty Casey has struck out.

E. L. Thayer

My neighbor leaned back into his front porch rocking chair, neatly popped the cap off a bottle of Iron City Beer with his front teeth and gazed out at the dogwood tree across the street. It was just beginning to blush deep red with its autumn pigment. He smiled as he sipped the first cool suds. (Iron City is as rare in South Carolina as Coors, and twice the treat for the harder of the hard core. It's all a matter of style—as different as Aspen and Pittsburgh.)

I wanted to talk politics—Watergate, Agnew's resignation, Cox's discharging, Richardson's resignation, Ruckelshaus' firing—the possibilities were endless. But he only shrugged off my head-on attempts, politely but firmly. It was Sunday, the last day of the World Series, and he wanted to talk baseball.

I am hardly a patron of the game, but my neighbor has loved baseball ever since he could hold one. Even now, he loves the traditions most. He loved seeing Casey Stengel throwing out the first ball, the cheers for Willie Mays, the consistency of Yogi Berra. And he loves the World Series, the way it comes every year just as his dogwood turns red. I think most of all he loves the honesty of the game.

"You know, you can get 110 percent excited about the World Series every year, no matter who's playing. You know both sides want badly to win. You know what the rules are and you can't go outside them. You know that the importance is limited, because next week only the folks in the hot stove league will still be talking about it. And there is a definite beginning and a definite end—you can feel the pressure and emotion build to the seventh game and you know every move is worth watching because the end is in sight. There's a definite winner and a definite loser. It's pretty satisfying. No, I'd rather talk baseball than politics, because I don't much follow politics anyway."

He took a long swill from his bottle and covered a burp with a chuckle. Then he began to tell me abut the team he was pulling against this year.

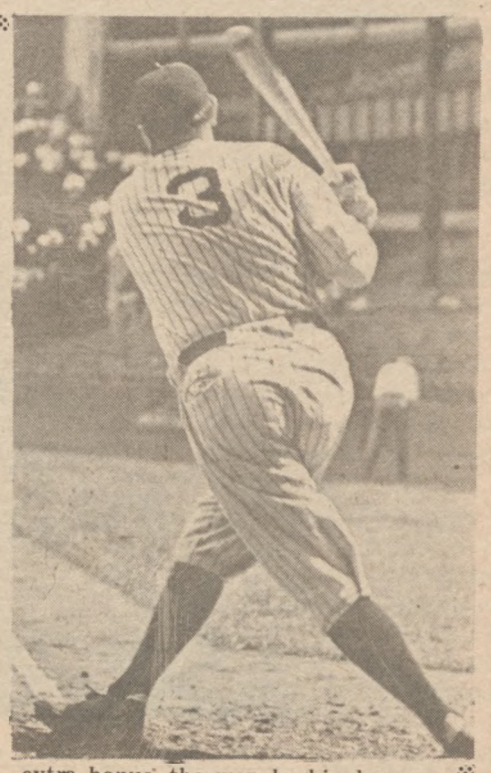
"I used to sorta like them earlier in the season. I wasn't too enchanted by the way things were being run in either league, but their head man seemed to know what he was doing. They won the pennant in a walk, but then there was little competition. A lot of people didn't like them, or their club president. You know, coming out of California, looking like something out of the turn of the century, wearing those gaudy uniforms like some kind of palace guard. From the top man down, they are a cold calculating bunch of professionals. They might argue among themselves in the clubhouse, but on the field, it's 'Watch what we do, not what we say'."

My friend popped open another Iron City and held it up to let the sun filter through the brown bottle. He chugged deeply, thoughtfully, and a bit sadly, I thought, before continuing.

"Well, after they won the pennant, a lot of people started talking. They said there was some dirty tricks going on during the season. You know, pitchers throwing secret spitballs and stuff. They wanted an investigation into the kind of tape the pitchers were using on their cap brims. Said it had a chemical on it that kept their hands wet when they touched it and helped them throw spitballs.

So they launched this big inquiry into the matter. Called it something silly like the Watertape investigation. They called in witnesses for weeks. One said one thing and another said the opposite. A couple of men resigned—the worst thing since the Black Sox scandal of 1919. Finally the Commissioner decided the only thing to do was to demand that the president of the Elephants release the tapes for special examination. But he wouldn't do it.

"Instead he selected a special investigator to look into the matter. This seemed to please everyone, since the lawyer he chose was known as the Willie Mays of the courtroom: he gave all he had all the time and there was none with higher integrity. Everything seemed to be under control. And as an extra bonus, the man he hired was a number one pinch hitter who could play second base. Like I said, the president is a shrewd man.



"But the lawyer began to look into a lot of things the president didn't want him to. He heard rumors of special laundering deals, secret loans from who knows Hughes—I mean who knows who—and even tax breaks for giving old letters to the Hall of Fame. One of the president's top coaches—in fact his number two man, the one they bought from Baltimore to keep the press off his back—resigned. So when the lawyer-second baseman made a crucial error in the first Series game, the president fired him. It was the perfect excuse.

When the president fired his lawyer-second baseman, the team's manager and Mr. Clean figure, decided to resign. Said he just couldn't work for the man anymore. This has really hurt the president's reputation. He says now he'll release the tapes. They might embarass him a little, if he hasn't had them doctored to be clean as a whistle. But still nobody knows about the rest. Hell, spitballs ain't as serious as all that other stuff.

My neighbor wedged one more beer against his teeth rather thoughtfully, then stopped to finish his little talk.

"Well, the good thing about it, is like I said before, it don't matter but so much. It's not like it was serious like politics or something. If it was politics, I'd think he's already seen strike three. Thank God, it's just baseball. It's just a game."

Jon Buchan

Planning S.C. With Sophistication

by Jon Buchan

Tucked away on the fourth floor of the glistening but unfinished Edgar A. Brown building is an office in much the same state as the edifice around it. The walls are practically undecorated, as though the new tenant either plans a short stay or is just too busy to stop and add a few personal touches. There is an expectancy of more to come.

Inside the office, though, resides the director of what is reputed to be the most sophisticated economic planning model of its kind in the country, designed to help coordinate programs under the governor's office and eventually throughout state government. The energetic woman behind all this sophistication is Dr. Barbara Feinn.

Dr. Feinn's title is Chief Economist and Director of Management Systems, under the Division of Administration of the governor's office. She was persuaded to come from New York to South Carolina over a year ago to assist in the economic planning for the state. Her role here has since expanded somewhat into the more general area of providing forecasting and impact analysis for South Carolina. Her office, which is wired directly into a huge computer in Lexington, Massachusetts, is equipped to use existing data to forecast what present trends indicate for the state's future, as well as to analyze what impact the adoption of specific government policies might have on the state. Dr. Feinn is quite proud of the econometric model her office has devised for South Carolina.

"It is a pretty sophisticated model, probably one of the most sophisticated models..., well, you really don't like to say something is the best, because there is always something you might not have heard of. But it's a very sophisticated model of the state of South Carolina. And not only does it rank with the finest, it is the finest because there's very little competition. Most of the states don't have the foresightedness and the farsightedness to have built one like this."

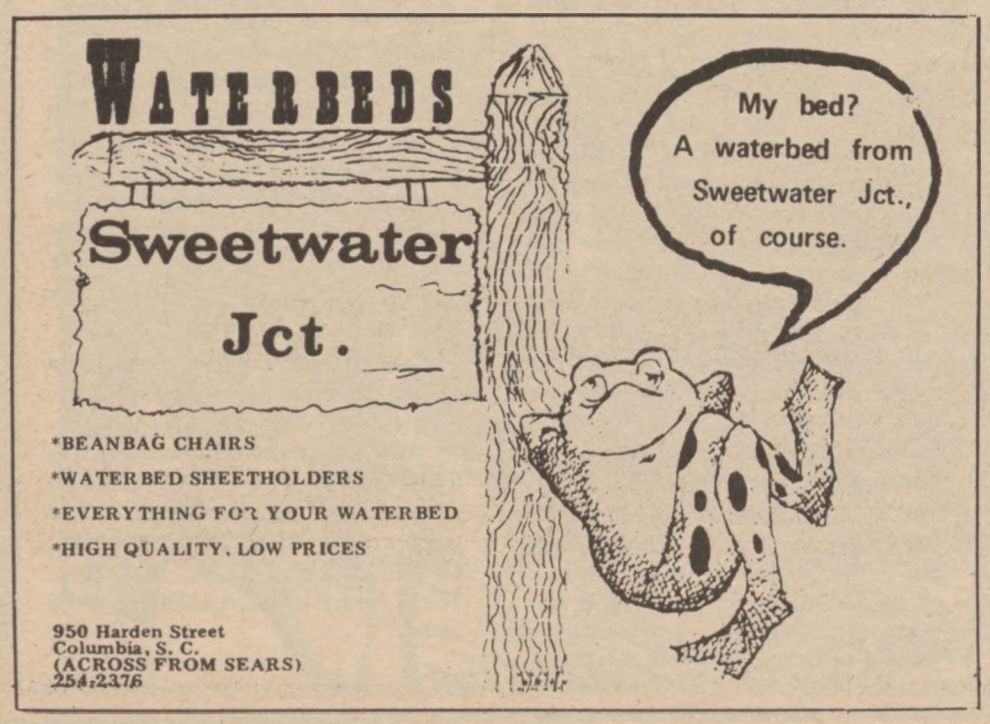
By utilizing 37 variables ranging from motor vechicle registration to projected savings deposits, Dr. Feinn's econometric model predicts what the state's future under alternative cirmumstances will be from now until 1985.

According to Dr. Feinn, Mississippi is developing a similar program under its department of education. Michigan and Georgia have good models under their respective departments of education, and Texas has developed one closest in concept to the one here. South Carolina's econometric model, however, is the only one of its type to integrate the factors which may affect a state on a national basis with more regional factors. Dr. Feinn explains that, for example, her model is attempting to consider not just the energy demands of South Carolina in the future, but the possible effects of recurring Mideast troubles on the supply of fuel.

Perhaps a more tangible example of the type of forecasting of which her office is capable is a recent study on future prison populations in South Carolina.

"The previous techniques, as you would assume, were to try to figure out race, sex, age, and then if you knew those things, you could probably figure out prison populations. Well. we tried all those things and we had very bad results. Using those data for past periods did not produce results consistent with actual prison populations.

"We were really desperate. We weren't



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doing a very good job. We started to think about --and we decided to try out of desperation--personal income. Negatively. We found that the present prison population was related to income, negatively. And this gave us excellent results."

Dr. Feinn's study found that the lower a person's income, the more likely he or she was to end up in prison. The study discovered that the rate of umemployment had a positive relation to future incarceration: those without jobs were highly likely to find themselves in prison. The study also found that a third of those on probation would eventually return to prison.

Dr. Feinn's office has also been involved in forecasting the effects of various suggested federal plans on South Carolina. Since, as she says, "a cost is somebody's else income," some particular federal programs will generate more income for the state than others. The study of programs such as health care proposals has a dual goal. One is to compute how money which comes into the state under the program will be spent here and how much additional revenue and taxes it will generate. The other--and more important--goal is to forecast which programs will best meet the future needs of the population of the state. Dr. Feinn says her office has given particular attention to the study of various human resources problems. Dealing with these problems in quantifiable terms is difficult because the data is frequently not available, but South Carolina is among the states pioneering in this area.

"To a large degree, you're dealing with people who are outside the system. And this is the role in many cases of state government--to look at these people who are outside the economic system and give them the services so that eventually they are healthy and educated and skilled, so that they can become part of the system. And when I talk about human resources I mean that kind of program and not the people who are inside the system. "I'm dividing the economic office into two parts. One is the quality of life type person--people who are outside the old-line economic system. And the other is the quantity of life, which is looking at the economic set-up of the state, what's producing the income and where the employment opportunities are going to be. Of course, these are inter-related."

*****

The Division of Management Analysis will operate in Fiscal 1974 with a staff of about 15 and a budget of about $70,000, according to state officials. (The figure includes Dr. Feinn's $21,000 a year salary). Some of this funding will come from contracts with the ten local councils of government across the state, some from private consulting firms, and some from services sold to other divisions of the governor's office and state agencies.

"If this model is worthwhile, then I should be able to sell its services to other people in the division and we should be able to get funding for it from these projects." One-half of the office's budget must come from selling its services, according to Dr. Feinn.

As she describes it, Dr. Feinn has a job with a positive outlook. Her duty usually is to use her economic model to choose between various proposed programs, all of which would be beneficial to South Carolina. Her forecasts and analyses are designed as tools to aid those making policy decisions by offering them hard data to consider.

"Many of the people in our division who are very good in the program when it comes to numbers become frightened because their training isn't to quantify data, their training is to look at the social policy and to think in terms of the welfare of the people of the state -- which is what they should be doing -- and analyzing the policy implications. We just give them a little added fillip at the end and say this could help you, but not that it necessarily will.

"We help to choose between programs. So far it has been choices of one good program over another good program. Federal money can come in in some way. New money is going to be released. Should you take this good program or that good program, this federal money or that federal money?" This is part of what the office's impact analysis is all about.

*****

The presence of Dr. Barbara Feinn in South Carolina is itself a testimony to the

seriousness with which state officials consider the concept of forecasting and impact analysis. She brings impressive credentials with her. She was raised in New England, was graduated from Smith College, and received a Doctorate in Economics from Yale. Her family was a heritage of women active in public affairs -- her mother was once an administrative assistant to the Governor of Connecticut.

"I come from a family of strong women with strong minds, very good mathematical minds, and on my father's side, long, good memories."

After earning her degree from Yale, Dr. Feinn spent one year working in New York with National City Bank. She was persuaded to work for the Rockefeller family office, assisting in the handling of the family's private economic interests.

"In the early days, one of the conditions was that one wouldn't even say where one worked. I was afraid people would think I was working for the CIA. The office sort of did the kind of things you and your wife do when you're married -- write the checks, make your plans, about how to invest your money. I had about the best training one could have had."

She worked with the Rockefeller family -- in the days before Nelson and David were well-known public figures -- for seven years. She spent some time working on a special studies panel with Henry Kissinger as the foreign affiars adviser. She also helped Gov. Nelson Rockefeller in some of his campaigns for President. For three years before coming to South Carolina, she worked with the New York State Council of Economic Advisers.

Now that she is in South Carolina, Dr. Feinn says she could spend the rest of her life here. She likes the combined government-university atmosphere of Columbia. She also says she is impressed with the desire of South Carolinians to maintain the relatively unspoiled natural resources of the state.

*****

The computers whir, the models project, and the figures pour out into the hands of the policy makers. But Dr. Feinn's name is nowhere to be seen. From her office in the Brown building, she revels in her anonymity. She credits Gov. West for having "the foresight and creativity" to establish such an office.

"You know, so much of what you do is not the title of the job, but the input to other people's thinking. I do think that one is fortunate in the world if one doesn't have to see one's name in lights but really doesn't care who gets the credit, one who cares for the idea and the idea's being used in helping somebody. I think that's the best way. I think people who sit around worrying about who gets the credit for things miss the point of life so much. It's really enjoying your own work and hoping it's going to be used, not for your sake, but for the sake of your profession, or your office. ■

1208 Knox Abbott Drive, Phone 796-1645

Judge Ju
& The La

By Dick Harpootlian

He is lean, black and obviously ashamed of his predicament. Heroin dealers, no matter what their reasons, are the pariahs of modern society.

"And how do you respond to the charges?"

"Guilty."

The litany rolls off the judge's tongue. Has anyone promised you anything to induce you to plead guilty, has anyone. . .etc., etc.

"No."

The narcotics agents stand next to the defendant and make their recommendation.

"I hereby sentence you to the Central Correctional Institute for a period not to exceed eighteen years."

The black man reels as if someone had just stuck a knife between his ribs and killed him, for intuitively he knows he is as good as dead. The wheels of justice have churned through another case.

"Next?"

Judge Julius (Bubba) Ness has, by his own admission, a reputation for being "a son of a bitch." Judge Ness is one of South Carolina's 16 judges who travel from circuit to circuit spending four months at a time in one courthouse. Since 1958 Judge Ness has been riding the circuit, and to hear some of the state's attorneys tell it, he has been riding too hard.

Ness' close-cropped pate gives credence to the Prussian goose-stepping image many lawyers attribute to him. His sentencing in cases of personal violence, drunk driving, drugs, or repeating offenders is uniformly harsh. He is also hard on attorneys who appear in court decked out in colorful clothes or sporting a beard or whose hair is "longer than the norm." Stories abound of Judge Ness' "suggestions" to lawyers to change their clothes or to stop by the barber shop before they appear in his court. At least one anecdote tells of Ness sending an attorney with flowing locks back to the barber shop either for a refund or a "real haircut."

Ness' own crewcut is strangely out of place in today's long haired society. But he wears it like a badge, proudly, to mark him as Bubba Ness, a man who don't put up with nothing.

A friend of the Judge's tells of a party in his hometown of Bamberg where some of the Judge's associates put an attractive woman up to harrassing the Judge. She allegedly walked up to Ness and said, "I don't know who you are sir, and it's none of my business, but I swear I think you would look much better if you would let your hair grow out."

Ness was heard to reply, "By Golly, you're right madam, it is none of your business."

At a meeting of one of the county bar associations in South Carolina, a group of lawyers stood up and took notice of their guest Judge Ness by singing several verses of a song called "Big Bad, Bubba Ness" sung to the tune of "Big Bad Leroy Brown."

While there is a great deal of humor generated by the judge's activities, he has a significant impact on South Carolina society through his day to day judicial decisions.

His impact will increase significantly in the near future through, what many believe, is his certain election to the South Carolina Supreme Court. In the following interview with Judge Ness he confirmed that he has the election to the Supreme Court wrapped up. With over 150 members of the General Assembly pledged to vote for him, he says all he needs is a vacancy on the court.

The judge also confirmed the widely held belief that he doesn't like long hair or "loud" clothes on attorneys who practice in his court; Ness insists, however, that his motive is based on a concern for the defendant's rights rather than any personal preference.

lius Ness aw

Photos by
Warren Kosinki

Ness claimed that his reputation for being insensitive to defendants is erroneous. He says he considers each case on the facts and makes no prior judgments. He does admit, however, that he considers some defendants incorrigible and the only solution for them is "to jack up the jail and let it drop on them."

Of major concern to the Judge is the huge tangle created by the backlog of cases in most of the circuits of the state, including Richland. He blames inadequate facilities and a willingness among attorneys to utilize the tangle to delay trials as the main reason behind the mess. Ness subscribes to the justice-delayed-is-justice-denied theory and he is pushing for reforms which will allow quick and speedy trials.

He says in the meantime he lets attorneys know that their delaying tactics will not work because anyone who requests a trial merely as a delaying tactic "when they have no legitimate defense" is, says the Judge, going to get the maximum if they are convicted.

Ness prides himself on his fairness and his objectivity. He soon will ascend to the state Supreme Court benchwhere his decisions will reach far beyond the individual defendant, yet to him it doesn't seem like such a big step. As the interview below reveals, Judge Ness yearns for bigger, more difficult tasks which he can attack and accomplish.

"If a defendant is big enough to commit a crime, he should be big enough to accept the punishment."

Opinions and judgments concerning Julius Ness are readily offered in any court house in South Carolina. The following interview is a view of The Man from the man himself—Judge Ness.

OS: Judge Ness can you tell us some of your background, your personal history?

Judge Ness: I was born in Clarendon County, Manning, where I lived as a very young child. When I was five or six my family moved to Denmark, South Carolina, where I finished public schools. I did not have the money to go to college so I worked for a year. I then went to the University of South Carolina. I worked my way through three years of academic school. At that time you could go to three years of academic school and if you had a certain average, I believe it was a B average, you could go on to law school. I took my law school subjects as my electives and got my B.S. degree and then graduated from law school in 1940. (Incidentally, as far as I know my class, 1940, is the only graduating class of the law school to have a reunion every year since its graduation with the exception of the war years. We're a very close knit group.)

After law school I went to Bamberg, South Carolina where I went to practice law with Senator J. Carrol Kearse, one of the finest men I have ever known, one of the most able lawyers I have ever known. I practiced law with him until the fall of 1940 at which time I went into the Air Corps. I stayed there for four months at which time they told me I wasn't adaptable to fly fighters and they suggested I go to bombardier school so I could fly in bombers. That didn't appeal to me and since the United States wasn't at war, I got out and went home to practice law with Senator Kearse. I stayed there two months and then I went into the Army at Ft. Jackson as a $21-a-month private. I was promoted to corporal and then sergeant and then went to OCS school and in March of 1942 I received my Second Lt. commission. I finally went overseas as a First Lt. with the 36th Infantry Division and stayed with them six or seven months and then went back to the 88th Infantry Division. I was wounded at Rome, Italy, and was in an Army hospital for seventeen months.

OS: Were you severely wounded?

Judge Ness: I was retired from the Army because of it. I have a stiff left leg, I have numerous wounds in my hip, a plate in my head which some people attribute to my demeanor problems. In 1946 I was retired from the Army and went back to Bamberg to practice law with Senator Kearse until I went on the Circuit bench in 1958.

OS: What are your plans for the future? Rumor would have it that you will be elected to the state Supreme Court sometime in the near future.

Judge Ness: At the present time there is not a vacancy on the Supreme Court. However, as you know, I ran for the Supreme Court some years ago and after the legislature voted on it for one entire session, Justice Littlejohn defeated me. I have let it be know since then that I would be interested in going on the Supreme Court primarily because I like research and I like to write opinions and I don't particularly like to travel around the state. I liked it at one time but it's gotten old now.

I intend at the present time to offer for the next vacancy on the Supreme Court when that vacancy occurs. And I have had a very good response to that offer. I have had 150 pledges out of a hundred and sixty some odd members of the General Assembly.

OS: You've got the reputation as being a hard judge in the sense that some consider your sentences harsher than those of other judges on the circuit.

Judge Ness: When I first went on the circuit bench in 1958 two of my favorite people were Judge Lewis and Judge Robert Martin, Judge Lewis now being a S.C. Supreme Court Justice and Judge Robert Martin being a Federal District Court Judge. Both of them were on circuit courts when I went on the circuit bench. When I first went on the bench I was inclined to give a good deal of probation but they told me, and I found it to be true, that when you put people on probation for stealing or serious crimes of violence, you're going to meet them coming back in the court house door before you leave the county. As you know, in our system you remain in a circuit for four months. And I found it to be true. I have also found or realized that while a defendant has rights, the people of the state of South Carolina have equal rights. The people have a right to be protected in their person and property under the constitution of the state of South Carolina. While I certainly recognize and try to uphold the rights of each and every defendant at the same time I am cognizant of the fact that the people of the state of South Carolina have equal rights. If a defendant is big enough to commit a crime, he should be big enough to accept the punishment.

OS: There has been much debate in both the law journals and elsewhere about the necessity of prosecuting those people who commit victimless crimes. It is argued that people who use drugs or drink harm no one except perhaps themselves.

Judge Ness: I don't know whether marijuana is harmful or not, *per se* And I don't have the expertise to discuss it one way or another. I have read numerous articles saying marijuana is harmful and then I have read numerous other articles saying that marijuana is not more harmful than a drink of . . . say . . . uh bourbon likker or scotch likker. However, from my experience in court I have found innumerable cases where you have someone who is mainlining heroin who started with marijuana. When they build up a resistence to marijuana and it isn't giving the desired effect anymore they go to speed or some similar drug and when they build up a resistance to that and no longer get the desired results they mix it with alcohol or they go to LSD or they go to popping heroin and the end result is mainlining heroin. So to that extent I would say marijuana is harmful. I also read in the paper recently, and I might say that I take what I read in the paper with some limited degree of certainty if I can put it very nicely. But I read wher actor Bruce Lee died of damage to the brain caused by smoking marijuana. I don't know much about the medical terminology and I am not passing on it pro or con. I do say, however, that I read it in the paper. Of course you might say that likker can cause cirrhosis of the liver. But I say to you that likker is harmful when you use it to excess. I have no quarrel iwth someone who wants to take a drink, that's his business. I do have a distinct quarrel with someone who drinks likker and drives an automobile because he is not only harming himself, but he is a danger to the public. Now I have said many times that if the legislature passed an act, now I am saying this facetiously, all you people that want to drink likker and drive, you may drive all you want on this certain road and if they all want to drive up and down that road and kill each other off I would have no quarrel with that but when I am driving down a highway in the State of South Carolina I have the right to assume that

(Continued on following page)

Photo by Warren Kosinski

(Continued from preceding page)

the person I am meeting is obeying the law. When I meet someone I think is obeying the law and he has got a belly full of likker, driving that automobile, he is a danger to me. I had a very close friend who had a lovely wife and five children ranging in age from one to nine. One Christmas Eve, some years ago, his wife took three of the children—one, three, and five years old— to go two blocks to exchange Christmas gifts with a friend. She went to the home, exchanged the gifts and on the way back she met a person driving an automobile with a belly full of likker. He ran into her, killed her, killed the one year old, killed the three years old, and killed the five year old. And this sort of thing hasn't happened just once. Numerous times across the state of South Carolina I have seen in my court people who have caused the death of other persons because they were drinking. That's why I feel so strongly about likker.

If a person would take drugs or drink likker and stay in a room and not harm anybody else and wouldn't affect their families I wouldn't have any objections to it. But when they affect their families or harm other people, that's when I come in.

OS: Studies have shown that prison guards become desensitized to their wards and begin to regard the prisoners as less than human. Do you think this concept could be expanded to cover all the members of the judicial process? When you see twenty or thirty defendants a day, how can you treat them as individuals?

Judge Ness: Maybe so, with prison guards, but I don't agree with that. I don't equate myself or any other member of the judiciary in South Carolina with a prison guard. First, because it takes a higher degree of intelligence or education to hold the position of a circuit or county judge. You'll have to recognize that prison guards are not paid an exceptionally high salary and you get, with a few exceptions, what you pay for. I'll admit to you that you do get prison guards who are desensitized to individual cases, but I think every judge on the circuit and county bench handles cases on an individual basis. Every case is based on the facts of that individual case.

OS: You have a reputation for being rather strict as to allowing defendants or attorneys with long hair or beards to come into court. What is your standard and why do you enforce it?

Judge Ness: Take you for instance. You have hair down to your shoulders, I have no quarrel with your hair, if you like to wear it in that manner, that's your business. It's clean and neat. The young man with you has a beard and while a beard doesn't appeal to me at all from a personal standpoint, I certainly have no right to tell him to cut his beard off. My view is that you have to equate yourself with people that you are trying a case before and jurors as a whole think that a lawyer should maintain a certain status in life and should . . . well . . ., to put it a little bluntly, one in public life should cultivate his vices in secret. When you're accused of something the public thinks it's proven guilt. The public, generally speaking, people of my age and older, think that most young men that wear hair down to their shoulders or wear beards that are not too neatly cultivated are, to use your expression, hippies. I don't think that a lawyer should have his hair that length or come into court with a beard, not because I don't like it but because he has got to represent his client and it will mitigate, I feel, against his client's rights. I tried a case in Greenville some months ago in which a lawyer came into court with his hair about your length and a beard, but he tried his case before a middle-aged jury. I was rather surprised he lost his case because it had considerable merit. I came to the conclusion that it was because he was dressed rather sportingly, he was wearing a loud sports jacket and a turtle neck sweater . . . . I think that mitigated against his clients' rights. I have always thought that if you seek to represent someone, he is entitled to the highest quality of representation. The man I practiced law with, I told you about, once told me that if a case was worth handling, it was worth preparing. That not only goes to the law of the case but how you present the case, how the jury accepts you. And that's why I get on lawyers for their hair and their clothes. I wouldn't go into court to represent a client wearing the clothes I have on today but when I go into court, I have a robe on and no one can see what I am wearing.

OS: How do you describe yourself in terms of judicial philosophy liberal, conservative? Where between William Rehnquist and William Douglas do you fall?

Judge Ness: Well I wouldn't fall into the line of William Douglas. But at the same time I wouldn't consider myself a conservative. Nor am I a liberal. I strictly construe the law, but I try to apply the law to the specific facts. I am satisfied that I talk too much on the bench, but that serves to expose some of my beliefs. I believe strictly in the adage that "He who insists upon never being wrong had better hold his tongue and do nothing." That's why I frequently tell lawyers, "I may be in error, but I'm never in doubt."

I try to keep up in the law. Every week I read the advance sheets of the South Carolina Supreme Court, the Fourth Circuit, and the U. S. Supreme Court.

OS: Are you saying then, that you're a strict constructionist? Is the legislature supreme, with the courts there merely to interpret the legislature's mandate?

Judge Ness: I think I have to interpret the mandate of the legislature. I don't want the courts to make the laws, but at the same time the world doesn't stand still and we have to go forward and adjust the cases decided by our courts and the U.S. Supreme Court to the progress that has been made in the world. We can't live in the horse and buggy days.

OS: Does that mean that if you had been in a position to apply Brown v. Board of Education, which was supposed to desegregate all of the nation's schools in 1954, that you would have made it immediately applicable at that time?

Judge Ness: I certainly can't tell you what I would have done in that case, for a number of reasons. First, I don't see these types of fact situations regularly so I haven't really studied them. For me to tell you whether or not I would have done anything would be pure conjecture. For me to say there is the line and I would rule here and not rule there is impossible. I go back to what I told you in the beginning that I apply the law to the facts of the case as I see it.

Every morning I get up and I shave and I look in the mirror and I am no moralist. Don't get me wrong when I tell you this, I do a lot of things that are wrong. I don't admit them all, but I do 'em. I have got to look in that mirror and say "yesterday I did what I thought was right under my oath of office as a circuit judge in the state of South Carolina and today with the help of the good Lord I am going to do what I think is right."

And again I tell you I may be in error, but I am never in doubt about anything I do.

OS: Do you feel the physical facilities and personnel of the judicial process need an upgrading? Lancaster County, or Richland County. Most other counties have tried to upgrade their facilities.

My own circuit, Aiken County, has a court house which was built many, many years ago. The court house is dirty, it's noisy, it's hot in the summer time, it's cold in the winter time. It's on a main highway and when you have to put the windows up to breath, trucks come by and you have to stop court because you can't hear the witnesses. It's ridiculous. But they haven't seen fit to do anything about it.

Now Richland is not as bad, but it is bad in that it is the state capitol and they don't have adequate court facilities. Now if the present court house had three or four more courtrooms I am sure the Chief Justice would send a judge in there and clear the docket up. The fact that Richland County has so much litigation even with the two able county judges they have there, they are not going to be able to clear up the docket with the two judges and one little court room they have now. They have over a thousand civil cases and over 800 criminal cases on the docket in Richland County and the Chief Justice just called two extra sessions of court in Richland. But they really need at least 15 more weeks of court to clear the docket.

The lawyers there know they have got the system beat. For instance, as a matter of illustration, if I was defending John Smith there who was charged with a serious crime and I wouldn't want it to come up for trial anytime soon. You know the older a case gets the weaker a case gets. What I could do is delay the trial by instead of pleading, demanding a jury trial. I know he's going to get convicted, but perhaps he may beat the system.

That occured numerous times while I was holding court in Richland County, but I tried to beat their system. I let them know by my sentences that if the defendant didn't have a defense and went to trial that I was going to jack up the jail house and drop it down on him. That means if you don't have a defense and the trial is merely a delaying tactic, you're going to normally get the maximum sentence.

I do think our judicial personnel is outstanding. We now have a committee studying any problems with personnel, but I think our major problem is with facilities. Do you know that many judges do not even have a full time secretary? The law library I have paid for. The State of South Carolina gives me the *Code of Laws* and *The Reporter* from 1958 up but if you give me a case that was decided before 1958 if I hadn't bought those books I wouldn't have anywhere to read it from. If you cite me something from the *Yale Law Review*, I wouldn't have those books unless I have bought them. Now some counties furnish those libraries for their circuit judges, but some of the smaller counties are financially unable to do so.

The counties in my circuit have given me some help with my secretary and I have gotten some federal money, too, but that will run out in January and I don't know what I will do for a secretary after that.

*****

One of the bailiffs brought in a burger for the Judge. No onion so the gals won't mind. Everyone laughs. It's good ole boy humor. We shake hands and part company. Outside in the hall of the Kershaw County Courthouse masses of defendants, lawyers, witnesses and families clog the way. Most are chattering nervously, but some pensively stare off into space.

It's these quiet ones who are obviously on trial. They're scared and they know that they have good reason. In a little while a decision will be made which will mean either prison or freedom and as if things weren't bad enough already, Bubba Ness is the one who's going to make that decision. They all know that while he may be in error, he is never in doubt. ■

"...And again I tell you I may be in error, but I'm never in doubt about anything I do..."

Music: Strange Ending for the Riders

by Willie Steele

NEW RIDERS OF THE PURPLE SAGE
at Township Auditorium

"Interviews are such a drag, man. Like, picture this. You walk into a room and some guy sits you down in front of the microphone and he asks you, 'Musically, where has the group been, and where is it now, and where are you going in three words or less.' What do you say to that? Hell, I don't know. I got a wife and a kid, and I'm trying to support 'em, and the only thing I know how to do is play steel guitar. That's really all there is to it, but that ain't what a reporter's gonna want to hear."

New Riders of the Purple Sage steel guitarist Buddy Cage was venting a few of his gripes with the press between sets at the group's concert last Friday in Township Auditorium.

Meanwhile, drummer Spencer Dryden was sitting on the edge of the stage talking to the audience, particularly female members thereof, while bass player Dave Torbert was in the bathroom barfing his guts out, or wishing he could, nobody is real sure which. Other members of the band are wandering around here and there, pointing to holes in the plaster of the auditorium walls and wondering why the people throwing the concert can't seem to figure out that the best way to control backstage traffic is to issue backstage passes. Road manager Dale Franklin has gotten very tired of jumping up and down to prevent roadies and friends of the band being evicted and is wary of giving auditorium officials the names of roadies and friends because she thinks they might want to put them in jail.

The Riders are dead tired, anyway, having traveled all day to get to Columbia and then gone onstage with only enough time in town to get either a shower or a meal, whichever the individual felt he needed the worst, and they aren't in any mood to put up with what they feel are unnecessary hassles. Between all the problems and the band's generally whacked-out condition, things tend to sort of fall apart at times during the show, but a lively audience doesn't care, and things hang close enough together to sound acceptable, and audience and band kind of stagger along together. By break-time, Cage is fairly well pleased with his work on the steel, which he often plays more like a lead guitar that a steel (with good effect, one should add). He's not really talking about music, though.

What he's talking about is life -- at this particular point, life on the road -- and he thinks it's all a monstrous prank. "Like you should see the rules at some of the halls we play in," he says, laughing. "At least here they give you a whole beer. Some of the places we play, all the beer is in seven-ounce cups, and like I drink a whole beer usually between every song, and so does everyone else, so by the end of the show, you can't move around on stage for all the empty plastic cups, and we'll all be standing around with a beer in each hand, drink a little out of one, and a little out of the other, one right after another, trying to drink it before it gets hot. Sometimes Dale gets run into the ground, running back and forth to bring us beer."

The second set is just about to start, and Dale is, for a fact, distributing beer. Half the band is hollering, "Hey, Cage, get on out here," and the other half is hollering, "Dale, where's the beer," while she waves one in the air so they can see her behind the amplifier. And the set continues as is began, ragged, but everybody is getting kinda loose and having a good time.

Outside, John (Marmaduke) Dawson, bass player Torbert and lead guitarist David Nelson more or less continue the round robin argument as to who it is that is losing the beat; at various times, each is pointed to as the culprit, as is Dryden, who resigned from the argument in anger during the break, and has resolved to ride things out and ignore everybody else. Somehow out of all this is created a sort of psychedelic cowboy rock'n'roll. The psychedelic part of the Riders' music is not very apparent on their albums, and you almost forget they're a San Francisco band sometimes, but every now and then the Riders struck out into several different rhythms at the same time, with some late sixties-type feedback licks that recalled the early Airplane-Grateful Dead-plain-old-hippie-music of the days before policemen and Jack Webb fans were the only people who used the word "hippie." I'm not sure whether all this discord and syncopation was intentional, but it was definitely appreciated. The crowd wouldn't quit when the band did, and the band wouldn't have quit then, either, if they'd had any choice in the matter.

The Riders finished their set and ran offstage, ready to go the usual encore. They came back for one song, but got the word they couldn't play anymore, even though the contract said 11 p.m. and it was only a quarter till. They quit, of course, and walked back to get their coats, and when they came out again, the crowd was screaming and dragging monitors off the stage and raising the curtains yelling for more. Marmaduke tried to explain , but nobody seemed to grasp the fact that the show was over. Finally a policemen came to shoo them all away before they broke the equipment (or got their own heads hurt trying).

Strange ending for a concert. ■

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CAROLINA COLISEUM

Theatre: Fun for Halloween

by Mike Smith

THE LEGEND OF SLEEPY HOLLOW
at Workshop Theatre

"The Legend of Sleepy Hollow" is a classic American tale which has always found favor with children and anyone who likes a good laugh at the expense of Ichabod Crane. Workshop Theatre's current production of John P. Donaldson's adaptation brings Washington Irving's characters to life with zest and wit and enough thrills to scare the daylights out of anyone young enough to believe in "things that go bump in the night."

In transforming Irving's tale from the page to the stage, Donaldson encountered several problems which he has only partially solved. The episode of the howling dog disturbing Ichabod's singing lessions has disappeared and the Headless Horseman in horseless, but the opening night audience of children and adults never seemed to mind these small inconsistencies.

Donaldson's adaptation stresses the relationship between the three principal characters—Katrina Van Tassel, Ichabod Crane, and Brom Bones—rather than the mysterious happenings and legends of Sleepy Hollow. He has produced a snappy domestic comedy which still manages to entertain and to keep the spectator on the edge of his seat awaiting the specter of the horseman.

Mama Van Tassel cares very little for Brom Bones, the young ruffian who courts her daughter. She has decided that Katrina deserves a more refined and bounteous life than she herself has lived. So, she jumps at the chance to play matchmaker, inviting the new Yankee school-master (Ichabod) to a family party. The young ladies at the party swoon at Ichabod's feet while he recites poetry. Brom Bones and his fellow ne'er-do-wells plan to avenge themselves; they don't cotton to the Yankee ways.

Neither does Balthus Van Tassel, the family partriarch. Years ago it seems, he and Mama reached a friendly agreement. Every argument in which they engage dissipates to meaninglessness with his shrugged "Ah, women!" or her exclamation of confusion "Men!".

Katrina finds herself torn between Ichabod's "intellect" and Brom's daring ways. Her own romantic nature desires a Superman-lover whom she thinks she has found in Ichabod. (She likes the epic poetry of love, with hero facing great dangers for the woman he loves. Ichabod thinks he's that man.) Ichabod, though, is motivated more by a love of Balthus' fine food than for his daughter. With Mama's help, he negotiates a fine dowry.

'Legend of Sleepy Hollow': enough faithfulness and flash

Listening to the family squabble over the dowry, Katrina comes to an important decision: she doesn't want to be sold or even married. She calls upon her younger sister Gretchen—a child possessed by strange demons—for some assistance in freeing her from the impending marriage to Ichabod. After becoming drunk at a stag party in his honor, Ichabod sets out for the Van Tassel home and the food and woman whiich he is about to marry. Before he gets there, he encounteres the Headless Horseman conjured up in a fierce storm of witches and ghosts by the bedeviled Gretchen. When the ruckus clears, Ichabod has disappeared, leaving only a shoe and his hat as a remembrance of his presence. Shortly thereafter, Katrina marries Brom Bones.

Throughout the play, Donaldson has sprinkled some innocuous songs. The lyrics are sometimes cumbersome and sometimes extremely funny but always forgetable. The music by Herbert S. French is maudlin. Usually, the music begins with a couple of bars of a well-known piece before settling down to a pumping boredom.

But the Workshop actors and stage crew come through with their accustomed professionalism. Director Jim E. Quick keeps the action coming at such a fast and pleasant pace that the audience has little time to think about the poor quality of the music or the plot contrivances until after they have left the theatre. Without campiness or exaggeration, Quick has produced an enjoyable comedy for the entire family.

The acting is first rate. Hall Buckley as Ichabod Crane is just what Irving had in mind when he described his character. Buckley is *extremely* tall and *exceedingly* thin and delivers an excellent comic performance. Fonda Bennett as Katrina is not "pleasingly plump" (Irving's description), but she portrays Katrina as a spirited lass and quickly wins the audience's sympathy. Terrell Green creates an excellent Brom Bones, full of swashbuckling adventure and boyish charm, and steals the show. He is also the best soloist in the cast.

As Gretchen, Stacy Calvert makes an auspicious Workshop debut. She easily manages to escape many of the pitfalls which can mar young actors. Stevenson Earhart and Anne Hightower as the elder Van Tassels are quite effective in their never-ending sexual battle. The chorus of singers and dancers—ably directed by Drucilla Brookshire and Johnny DeHart—add excitement and color to the entire production.

Technically, the production never suffers or lags. The exciting lighting (by Charles Inglet and Tony Honicutt) and sound (by Marty Tennant and Danny Reeves) heighten the impact of the Horseman's appearance. As the lightning and thunder which accompany the Horseman subsided, one under-ten spectator screamed frontically for more.

The children there were amazed as were most of the adults. The play itself leaves much to be desired, but Workshop has recreated the characters of Sleppy Hollow with enough faithfulness and flash to make "Legend" a welcome addition to the Halloween season.

To help establish the tone of the play, Workshop has also constructed a frightening "Alley of Horrors". By stepping inside a Pharoah's tomb, one finds himself in total darkness with only an unraveling Mummy for a guide through a maze of fantastic events. The Frankenstein is relatively benign. The fortune teller can indeed foresee some interesting things. The mad doctor may ask you to place your hand into certain ingredients. The guts and eyeballs are easy to handle but beware of the liver. ■

Shakespeare without errors

by John Marion

THE COMEDY OF ERRORS
at Columbia College Theatre

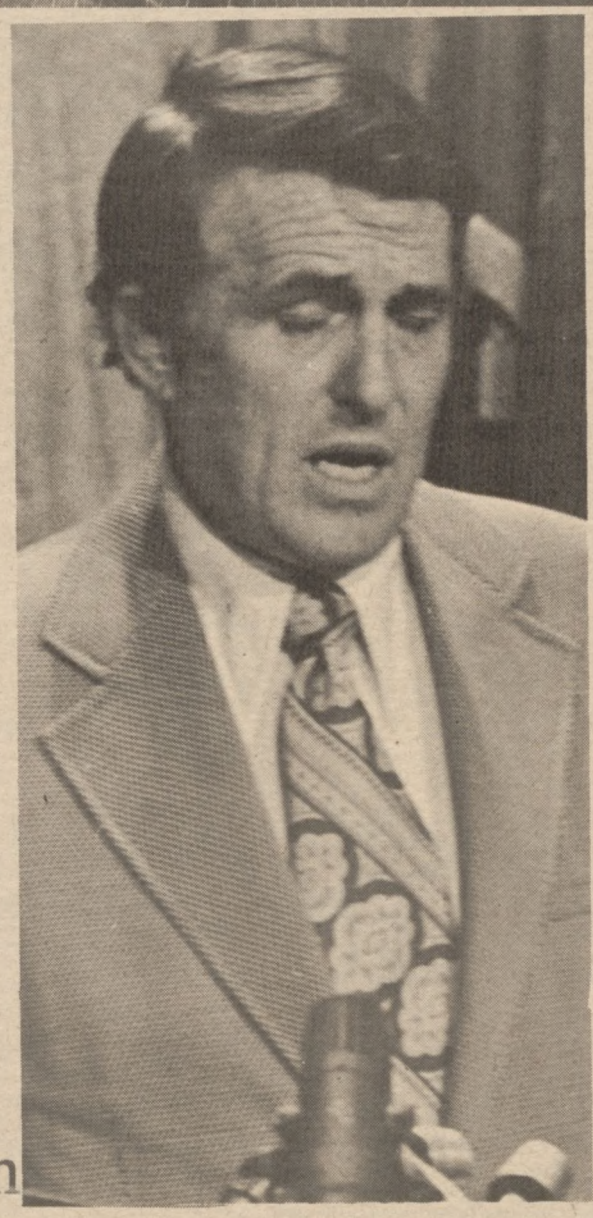
The only bad thing about Columbia College's production of Shakespeare's sprited "The Comedy of Errors" is that it only ran one night. The fact that it will tour various high schools and colleges throughout the state is no doubt great for publicity for "C Square" itself, but is nevertheless a considerable disappointment for the more immediate Columbia audiences. The all-women production Wednesday night was theatre magic at its finest, and captured the very essence of the Shakespearean stage in a romping, thoroughly delightful way.

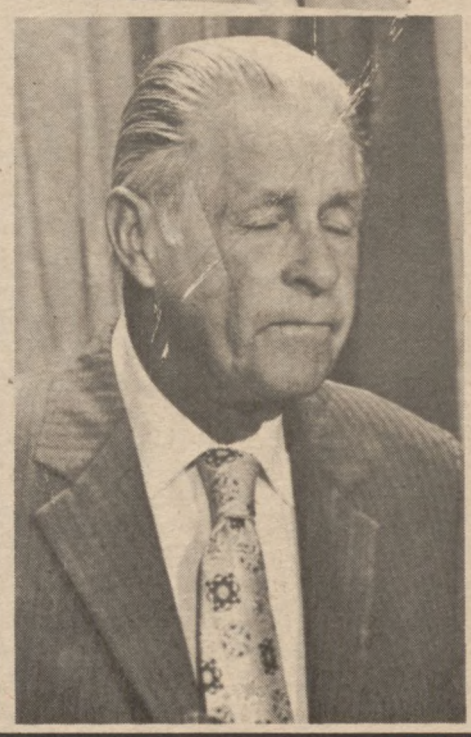
It is hard to imagine a cast that worked together as well as this one. No single character or action stood out or called attention to itself at the expense of the whole company, althoughthere were fine individual performances. Debi Hudson and Suzie Waugh played wonderfully to each other as the madcap twin fools of the same name, Dromio, and provoked howls of laughter as foils to their twin masters of the same name, Antipholus, played superbly by Mary Beth Meehan and Jamie Bates. Annette Williams added color and zest to the role of Adriana, wife of Antipholus of Ephesus, and expanded it with imagination and intelligence. Jocelyn Sanders' commanding stage presence gave a richness and depth to Angelo, the goldsmith, and provided the perfect antagonist for the festy Antipholus of Syracuse.

Director Rai Baille has succeeded admirably in capturing a genuine Elizabethan flavor. The fact that women portray men, and do so brilliantly, gives the same magical quality of a traditional Shakespearean company in which the men portray women. The overall effect is similar to a puppet show; the audience intellectually knows that the characters are not real, but rejects such knowledge in order to let the magic do its work. Moreover, the set itself is obviously not a permanent one, but is designed for touring, and thus gives the appearance of a true 16th century vagabond play. The music sets an appropriately light tone, and punctuates the production effectively. Mr. Baillie's fine, unpompous direction and his cast's intelligence and exuberance have created on of those wonderful illusions that only a Shakespearean script can conjure, and makes happily abandoned groundlings of those who witness it.

The Columbia College Players' statewide tour will certainly be successful, and their presence at Coker College's Shakespearean Festival on November 7 will definitely be felt. ■

Photo Funnies





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ATLANTIC I THEATER, 3220 Two Notch Road, 787-1225

"A Brother On The Run" starring Terry Carter. Rated R.Another superfly type flick.Call the theater for times.

ATLANTIC II THEATER, 3220 Two Notch Road, 787-1225

"Run Virgina Run" starring Cheryl Ross and rated R. A thriller.Call theater for times.

CAROLINA THEATER, 1223 Main Street, 252-8011

"Dillinger" starring Warren Oates, Ben Johnson, Cloris Leachman and Michelle Phillips. Rated R. The story of Big John's escapades. Call theater for times.

DUTCH SQUARE NORTH THEATER, Dutch Square Mall, 798-1100

"Lost Horizon" enjoys its third week in Columbia. Rated G. Times are 1:30, 4, 6:30 and 9.

DUTCH SQUARE SOUTH THEATER, Dutch Square Mall, 798-1100

"Baxter" starring Patricia Neal and Britt Ekland. Rated PG with shows at 2, 3:50, 5:40, 7:30 and 9:20.

FOX THEATER, 1607 Main Street, 254-5212

"The Optimists" starring Peter Sellers. Rated R. Call the theater for times.

GAMECOCK I THEATER, Parkland Shopping Center, Cayce, 796-0022

"Casablanca" Bogart and Bergman in perhaps the greatest film of all times. See it. Shows at 2, 3:50, 5:50, 7:30, and 9:20.

GAMECOCK II THEATER, Parkland Shopping Center, Cayce, 796-0022

"M*A*S*H" is held over for another week. Rated PG' Shows are at 1, 3, 5, 7, and 9:05.

JEFFERSON SQUARE THEATER, 1801 Main Street, 254-6731

"Night Watch" Liz Taylor and Larry Harvey. Rated PG. Times are 1:40, 3:30, 5:20, 7:10 and 9.

MIRACLE THEATER, 1228 Main Street, 256-1950

"American Graffiti" Rated PG with shows at 1:20, 3:20, 5:20, 7:20 and 9:20.

Late Show Friday and Saturday at 11:30 p.m. "Straw Dogs" with Dustin Hoffman.

PALMETTO THEATER, 1417 Main Street, 254-5800

"The Hong Kong Cat" Rated R with shows at 1, 3, 5, 7, and 9.

Late Show Friday and Saturday Night "Mighty Joe Young" at 11:15.

PLAZA III THEATER, 1323 Main Street, 254-7690

"Walking Tall" is still in town. Rated R with shows at 12:50, 2:40, 5, 7, and 9:20.

RICHLAND MALL THEATER, Richland Mall Shopping Center, 782-2228

"Jeremy" rated PG with shows at 1, 3, 5, 7 and 9.

CAMPUS FILMS

All films at the Russell House are shown at 7 & 9:30 p.m. and are free to faculty, students, administrators and guests unless otherwise indicated.

Friday, October 26

"Frenzy" (United Kingdom, 1972) is this weekend's pick hit. Directed by Al Hitchcock and starring John Finch, it marks Hitchcock's return to his "wrong man" theme. Visually striking, the film exhibits a sharpness not seen since "Psycho." 116 minutes. This one costs a buck.

Sunday, October 28

"The Bride Wore Black"(French, 1968) Francois Truffaut's homage to Hitchcock. Jean Moreau's husband is killed as they come down the church steps at their wedding. She spends the rest of her life killing the five men who did it. 107 minutes.

Monday, October 29

"The Silence and the Cry"(Hungary, 1968)Director Miklos Jancso uses a young soldier in 1919 to reveal stark terror. 79 minutes.

Tuesday, October 30

"Occurence at Owl Creek Bridge;" "Tell-Tale Heart;" and "The Fall of the House of Usher" Three short horror thrillers. Owl Creek won an Academy Award and is a classic.

Wednesday, October 30

"The Fly"(USA, 1958) Vincent Price and David Hedison star in this SCi-Fi classic about a scientist who goofs and becomes part fly-part man. 94 minutes

"The Haunting"(United Kingdom, 1963) Julie Harris and Claire Bloom occupy a house which is full of strange noises and terror. Directed by Robert Wise. 112 minutes.

Thursday, November 1

"The Other"(USA, 1972) A very recent ghost story. Based on the book by Tom Tryon (who also did the screen play) A good thriller. 100 minutes. It costs a dollar.

television

Saturday, October 27

1:30 p.m.--NCAA Football. The Clemson Tigers and the N.C. State Wolfpack tangle on regional television. (Channel 25)

1:30 p.m.--Movie. "Konga"(British, 1961) Michael Gough and Margo Johns. A mad scientist turns a cute chimp into a murdering giant ape. Followed by "The Evil Eye"(1964) John Saxon, Leticia Roman, Valentina Cortesa. Young doctor and frightened beautiful girl fear the worst when a series of unsolved murders lead to the disappearence of the girl's aunt. A pretty good thriller. (Channel 10)

2 p.m.--National Basketball Association. So soon? Buffalo bounces into Cleveland.(Channel 19)

8:30 p.m.--Music. "Till the Butcher Cuts Him Down" focuses on Preservation Hall, a bastion of New Orleans jazz, and on Kid "Punch" Miller, a popular trumpet-playing singer of the 20's and 30's. Good viewing for jazz buffs. (Channel 35-ETV)

9 p.m.--Movie."Buck and the Preacher" with Harry Belafonte and Sidney Poitier. (Channel 10)

11 p.m.--Burnside Dodge Horror Classic."Son of Frankenstein"(1939) Boris Karloff, Basil Rathbone and Bella Lugosi star in this horror classic. A really great flick.(Channel 19)

11:30 p.m.--Movie."Along Came A Spider"(1970) Suzanne Pleshette, Ed Nelson. A melodrama made for TV. A good surprise ending, but almost too much to go through to get to it.(Channel 10)

12:15 a.m.--Rock Concert. Sly and the Family Stone and Black Oak Arkansas. (Channel 25)

1 a.m.--Movie."Battle Beyond The Sun"(Yugoslav, 1962) Andy Stewart and Ed Perry. Sci-Fi yarn about a battle for control of Mars.(Channel 10)

Sunday, October 28

1 p.m.--Football. Miami at New England.(Channel 10)

2 p.m.--More Football. The Vikings and the Rams, both unbeaten, clash at Bloomington, Minn. (Channel 19)

4 p.m.--And More Football. If the Rams-Vikings game is over turn the station to watch the Steelers and the Bengals meet in Pittsburgh.(Channel 10)

8:30 p.m.--Movie. "The Boston Strangler"(1968) Toney Curtis, Henry Fonda. A documentary style account of Albert DeSalvo, the man who was convicted of choking many Bay area girls to death. Well done and worth watching. (Channel 25)

Monday, October 29

9 a.m.--Today in Carolina. Jim and Joe have a Dog Show on. A Great Dane and a Welch Corgi headline the hour.(Channel 10)

9 p.m.--Movie."Cactus Flower"(1972) Walter Matthau, Goldie Hawn and Ingred Bergman. Cute... (Channel 10) 9 p.m.--Football. Cosell and Dandy Don present the Chiefs and the Bills from upstate New York.(Channel 25)

11:30 p.m.--Movie."Operation Heartbeat" We have no idea what this flick is about, nor do we know who stars in it or who directed, so watch at your own risk.(Channel 19)

12:15 a.m.--Movie."Blindfold"(1966) Rock Hudson, Claudia Cardinale and Jack Warden. A psychologist is contacted by a security officer to help a top-secret type scientist. The plot thickens and an international spy thriller develops. A pretty good flick with decent dialogue and acting. (Channel 25)

Tuesday, October 30

9 a.m.--Today in Carolina. A demonstration of make-up for Black women by Florie Roberts. Also Carrington Salley will talk about credit for women. (channel 10)

11:30 p.m.--Movie. "Tick, Tick, Tick"(1971) Jim Brown toughs it out as a negra Sheriff in a white redneck Southern town. Guess who wins???(Channel 19)

"The Legend of Sleepy Hollow" is currently playing at the Workshop Theatre. See the review on page ten.

Wednesday, October 31

9 a.m.--Today in Carolina. The Sheriff's Posse gives a horse show and Willie Freeland talks about gardening. (Channel 10)

11:30 p.m.--Movie. "Who Slew Auntie Roo?" Go to bed. (Channel 19)

Thursday, November 1

9 a.m.--Today in Carolina. Jim and Joe show you how to make candles and the Town Theatre does a scene from "Sleuth."(Channel 10)

9 p.m.--Movie. "Bullitt"(1968) Steve McQueen, Robert Vaughn, Jacqueline Bisset. A well directed, well acted and generally well done flick about a tough cop. A great flick, don't miss it. (Channel 19)

11:30 p.m.--Movie."Then Came Bronson"(1969) Michael Parks, Bonnie Bedelia, Akim Tamiroff. Parks is a young reporter who chunks it all when he inherits a bike from a friend who committs sucide. Riding like a free spirit Bronson encounters fun, sadness, action, quiet, friends, solitude and lots and lots of commercials. This pilot film for a TV series lacks just about everything. Go to bed. (channel 19)

Friday, November 2

9 a.m.--Today in Carolina. This is a special show with three doctors answering questions called in by viewers about their children. Should be interesting. (Channel 10)

9 p.m.--Barbara Streisand Special. This should be a decent show with Miss B singing some of your favorites. (Channel 19)

1 a.m.--The Midnight Special. The late Jim Croce hosts his last television appearence before his death in a plane crash. (Channel 10)

concerts

J. GEILS, the Boston rock band, will appear in concert at Columbia's Carolina Coliseum on Nov. 17. Tickets are not on sale yet, but when they do go on sale they'll cost $5.50 and $4.50.

FERRANTE & TEICHER, reknowned pianists, will appear at the Charleston Municipal Auditorium October 29 at 8:30 p.m. Tickets are $4, $5, and $6.

CHICAGO will perform at the Carolina Coliseum, Tuesday, November 6. Tickets range from $4.50 to $5.50 to $6.50 and can be purchased at the Coliseum Box Office, Taylor St. Pharmacy, Ft. Jackson S.S., and Mitchell Piano Co.

theatre

THE LEGEND OF SLEEPY HOLLOW, will continue this week at the Workshop Theatre. Box office on Bull Street is open from noon to curtain at 8 p.m. Tickets are $2. For a review of the play, see page 10 of this week's edition.

specials

Two free seminars sponsored by the Contemporary University: "Little Known Facts About South Carolina," and "Country Music." 3 and 4 p.m. at Leiber College on the third floor each Monday.

Poet Richard Harris will perform "I, In the Membership of My Days" at Carolina Coliseum, November 8 at 8:15 p.m. Admission free to all.

A 44-FOOT HIGH MOVIE BUBBLE called Cinemaglobe will entertain at the State Fair in Columbia from October 19 until the 27. The air supported dome is a portable theater which will show giant-screen, multi-image films produced for the World Expositions in New York, and Osaka. The bubble itself is intriguing, and the films promise to be even more so.

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